

EXHIBIT A

JOSH A. VALDEZ (023509)
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Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA

JILL LIBRETTI, a married woman,
Plaintiff,

vs.

**QUIKTRIP CORPORATION, a foreign
corporation; JOHN and JANE DOE I
through X, fictitious individuals; ABC
CORPORATION and Partnerships, I-X,
fictitious entities,**

Defendants.

Case No.: CV2022-002260

COMPLAINT

(Tort-Motor Vehicle)

Plaintiff, Jill Libretti, by and through undersigned counsel, for her causes of action against the Defendants, and each of them, alleges as follows:

GENERAL ALLEGATIONS

The Parties and Jurisdiction

1. That at all time material herein, Plaintiff was a resident of Maricopa County, Arizona.

2. The events giving rise to this cause of action occurred in Maricopa County, Arizona. Venue is proper in this Court.

3. This Court has personal jurisdiction over Defendant **QUIKTRIP CORPORATION**.

4. The amount of controversy herein exceeds the minimum jurisdictional limits of this Court.

5. That at all times material herein, **QUIKTRIP CORPORATION** was located 2725 West Peoria in Phoenix, Arizona. (the "Premises") and was duly authorized to conduct business in the State of Arizona.

6. The true names, capacities and/or relationships, whether individual, corporate, partnership, or otherwise, of Defendants JOHN DOES I-X, ABC CORPORATIONS I-X, and PARTNERSHIPS I-X, inclusive, and each of them, are and were unknown to Plaintiff at the time of filing of this Complaint and Plaintiff therefore sues said Defendants, and each of them, by fictitious names. Plaintiff will ask leave of Court to amend this Complaint to show the true names, capacities, and/or relationships when the same have been ascertained and, therefore, alleges that all of said fictitiously-named Defendants were either joint tortfeasors and/or jointly and severally legally responsible in some manner for the events and happenings herein and proximately caused the injuries and damages to Plaintiff as herein set forth.

7. Defendants JOHN DOES I-X were agents, employees, and/or subcontractors of Defendant Wal-Mart. Accordingly, Defendant is vicariously liable for the negligence of Defendants JOHN DOES I-X in causing the injuries and damages to Plaintiff.

The Events

8. On October 18, 2020, Plaintiff was lawfully on the “Premises” as a business invitee.

9. While walking towards a beverage cooler, Plaintiff slipped on spilled ice cream on the floor causing her to fell.

1 10. Defendant **QUIKTRIP CORPORATION** does not dispute that ice cream
2 was on the floor at the time Plaintiff fell.

3 11. Defendant **QUIKTRIP CORPORATION** does not dispute that Plaintiff
4 fell.

5 12. Plaintiff's fall was captured by surveillance cameras and recorded.

6 13. Defendant **QUIKTRIP CORPORATION** is a self-service business.

7 14. On said date, Defendant **QUIKTRIP CORPORATION** carelessly,
8 recklessly, and negligently maintained the Premises, specifically where Plaintiff had
9 fallen from the dangerous condition on the floor. Defendant Wal-Mart failed to place
10 any cones, barricades, markers, yellow tape, or otherwise warning signs of the dangerous
11 condition on the floor. The actions or inactions of Defendant Wal-Mart caused Plaintiff
12 to injury herself and sustain damages.

13 15. Defendant **QUIKTRIP CORPORATION** had constructive and/or actual
14 notice of the dangerous and unsafe condition on the floor or should have prevented said
15 dangerous condition on the floor through its mode of operation.

16 16. The unreasonably and dangerous condition on the floor at the Premises
17 was not a dangerous condition that Plaintiff reasonably should or could have discovered
18 for herself.

19 17. As a direct and proximate result and cause of the negligence of Defendant
20 **QUIKTRIP CORPORATION**, Plaintiff suffered serious injuries and damages, which
21 will continue, the nature and extent of which will be proven with specificity upon the
22 trial of this matter.

23 18. As a direct and proximate result of the negligence of Defendant
24 **QUIKTRIP CORPORATION**, Plaintiff has incurred expenses and other damages in
25 connection with the care and treatment she received for her injuries, past, present, and
26

1 future, which will continue, and in an amount that will be proven with specificity upon
2 the trial in this matter.

3 19. As a direct and proximate result of the negligence of Defendant
4 **QUIKTRIP CORPORATION**, Plaintiff suffered general damages, consisting of pain,
5 suffering, discomfort, disability, disfigurement, anxiety, frustration, inconvenience, and
6 more, which will continue, the exact nature and extent of which will be proven with
7 specificity upon the trial of this matter.

8 WHEREFORE, Plaintiff prays for judgment against Defendant **QUIKTRIP**
9 **CORPORATION** as follows:

10 A. For reasonable and fair sums to compensate Plaintiff for her past and future
11 medical expenses incurred in an amount to be proven at trial;

12 B. For reasonable and fair sums to compensate Plaintiff for her physical and
13 mental pain and suffering, anxiety, permanent impairment, permanent injuries,
14 apprehension, and nervousness, among other general damages, in an amount to be
15 proven at trial;

16 C. For Plaintiff's costs and expenses incurred to date, and to be incurred in the
17 future in this action.

18 D. For such other and further relief as this Court deems just and proper under
19 the circumstances.

20
21 DATED this 18th day of February, 2022.
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23
24
25
26

VALDEZ LAW P.L.L.C.

By: /s/ Josh A. Valdez

JOSH A. VALDEZ
JOSEPH A. HOXIE
323 W. Roosevelt Street, Suite 100
Phoenix, Arizona 85003
Attorney for Plaintiff

ORIGINAL of the foregoing filed
this 18th day of February, 2022 with:

Clerk of the Court

/s/ Josh A. Valdez

EXHIBIT B

AFFIDAVIT OF SERVICE

Case: CV2022-002260	Court: Maricopa Superior DT	County: Maricopa, AZ	Job: 6784610
Plaintiff / Petitioner: Jill Libretti		Defendant / Respondent: QuikTrip	
Received by: QuickServeAZ		For: Valdez Law, PLLC	
To be served upon: QuikTrip			

I, Antoine Cobb, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name / Address: QuikTrip c/o CT Corporation , 3800 N CENTRAL AVE 460, PHOENIX, AZ 85012-1908

Manner of Service: Corporation, Mar 9, 2022, 11:04 am MST

Documents: Summons and Complaint

Additional Comments:

1) Successful Attempt: Mar 9, 2022, 11:04 am MST at 3800 N CENTRAL AVE 460, PHOENIX, AZ 85012-1908 received by QuikTrip c/o CT Corporation . Other: Christine Napier;

Fees: \$65.00

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



03/10/2022

Antoine Cobb
MC8985 - Maricopa

Date

QuickServeAZ
PO Box 16125
Phoenix, AZ 85011
602-888-3237

EXHIBIT C

Person/Attorney Filing: Josh A Valdez
Mailing Address: 323 W. Roosevelt Street Suite 100
City, State, Zip Code: Phoenix, AZ 85003
Phone Number: (623)810-5561
E-Mail Address: joshvaldez@valdezazlaw.com
☐ Representing Self, Without an Attorney
(If Attorney) State Bar Number: 023509, Issuing State: AZ

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
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Plaintiff(s),
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Defendant(s).

Case No. CV2022-002260

SUMMONS

To: QUIKTRIP

WARNING: THIS AN OFFICIAL DOCUMENT FROM THE COURT THAT AFFECTS YOUR RIGHTS. READ THIS SUMMONS CAREFULLY. IF YOU DO NOT UNDERSTAND IT, CONTACT AN ATTORNEY FOR LEGAL ADVICE.

1. A lawsuit has been filed against you. A copy of the lawsuit and other court papers were served on you with this Summons.
2. If you do not want a judgment taken against you without your input, you must file an Answer in writing with the Court, and you must pay the required filing fee. To file your Answer, take or send the papers to Clerk of the Superior Court, 201 W. Jefferson, Phoenix, Arizona 85003 or electronically file your Answer through one of Arizona's approved electronic filing systems at <http://www.azcourts.gov/efilinginformation>. Mail a copy of the Answer to the other party, the Plaintiff, at the address listed on the top of this Summons.
Note: If you do not file electronically you will not have electronic access to the documents in this case.
3. If this Summons and the other court papers were served on you within the State of Arizona, your Answer must be filed within TWENTY (20) CALENDAR DAYS from the date of service, not counting the day of service. If this Summons and the other court papers were served on you outside the State of Arizona, your Answer must be filed within THIRTY (30) CALENDAR DAYS from the date of service, not counting the day of service.

Requests for reasonable accommodation for persons with disabilities must be made to the court by parties at least 3 working days in advance of a scheduled court proceeding.

GIVEN under my hand and the Seal of the Superior Court of the State of Arizona in and for the County of MARICOPA

SIGNED AND SEALED this Date: *February 23, 2022*

JEFF FINE
Clerk of Superior Court

By: *CECILIA CUELLAR*
Deputy Clerk



Requests for an interpreter for persons with limited English proficiency must be made to the division assigned to the case by the party needing the interpreter and/or translator or his/her counsel at least ten (10) judicial days in advance of a scheduled court proceeding.

If you would like legal advice from a lawyer, contact Lawyer Referral Service at 602-257-4434 or <https://maricopabar.org>. Sponsored by the Maricopa County Bar Association.

EXHIBIT D

Person/Attorney Filing: Josh A Valdez
Mailing Address: 323 W. Roosevelt Street Suite 100
City, State, Zip Code: Phoenix, AZ 85003
Phone Number: (623)810-5561
E-Mail Address: joshvaldez@valdezazlaw.com
[☐] Representing Self, Without an Attorney
(If Attorney) State Bar Number: 023509, Issuing State: AZ

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**CERTIFICATE OF
COMPULSORY ARBITRATION**

I certify that I am aware of the dollar limits and any other limitations set forth by the Local Rules of Practice for the Maricopa County Superior Court, and I further certify that this case IS NOT subject to compulsory arbitration, as provided by Rules 72 through 77 of the Arizona Rules of Civil Procedure.

RESPECTFULLY SUBMITTED this

By: Josh A Valdez /s/
Plaintiff/Attorney for Plaintiff

EXHIBIT E



Civil Court Case Information – Case History

Case Information

Case Number: CV2022-002260 Judge: Mikitish, Joseph
File Date: 2/23/2022 Location: Downtown
Case Type: Civil

Party Information

Party Name	Relationship	Sex	Attorney
Jill Libretti	Plaintiff	Female	Josh Valdez
Quiktrip Corporation	Defendant		Pro Per

Case Documents

Filing Date	Description	Docket Date	Filing Party
3/14/2022	AFS - Affidavit Of Service	3/18/2022	
NOTE: QUIKTRIP			
2/23/2022	COM - Complaint	2/24/2022	
NOTE: Complaint			
2/23/2022	CSH - Coversheet	2/24/2022	
NOTE: Civil Cover Sheet			
2/23/2022	CCN - Cert Arbitration - Not Subject	2/24/2022	
NOTE: Certificate Of Compulsory Arbitration - Is Not Subject To			
2/23/2022	SUM - Summons	2/24/2022	
NOTE: Summons			

Case Calendar

There are no calendar events on file

Judgments

There are no judgments on file